

\$1644
Docket No.: PF-0385-1 DIV

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 13, 2003.

Printed: Lyza Finuliar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

Title: AUTOANTIGEN-LIKE PROTEIN

Serial No.: 09/758,498

Filing Date: January 10, 2001

Examiner: Schwadron, R.

Group Art Unit: 1644

Mail Stop: Sequence
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 20 2003
TECH CENTER 1600/2900

FEE TRANSMITTAL SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Petition for Extension of Time (1 pg.);
3. Response to Notice to Comply (2 pp.);
4. Copy of Examiner's Communication dated January 13, 2003 (4 pp.);
5. Substitute Submission Letter under 37 CFR 1.821 and 1.825 (1 pg.);
6. One (1) Substitute Computer Readable Diskette; and
7. Paper Copy of Substitute Sequence Listing (4 pp.).

The fee has been calculated as shown below.

☒ Fee for Petition for Extension of Time Under 37 CFR - 3 Mo(s). \$ 930.00
☒ Please charge Deposit Account No. **09-0108** in the amount of : \$ 930.00

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 12 May 2003

Cathleen M. Rocco
Cathleen M. Rocco
Reg. No. 46,172
Direct Dial Telephone: (650) 845-4587

Customer No.: 27904
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 845-4166

106262





Docket No.: PF-0385-1 DIV

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 13, 2003.

By: [Signature] Printed: Lyza Finuliar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lal et al.

Title: AUTOANTIGEN-LIKE PROTEIN

Serial No.: 09/758,498

Filing Date: January 10, 2001

Examiner: Schwadron, R.

Group Art Unit: 1644

Mail Stop: Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 20 2003
TECH CENTER 1600/2900
S/30/03
Jm
9/B

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed by the United States Patent and Trademark Office on January 13, 2003 (copy attached), Applicants submit the following documents to complete the filing for the above-identified patent application:

1. **Substitute** Submission Under 37 CFR §1.821-1.825 Sequence Listing (1 pg);
2. One (1) **substitute** computer-readable CD-R/Diskette; and
3. A **substitute** paper copy of the sequence listing.

Applicants hereby request a three-month extension of time in order to file this Response.
Authorized fees include the statutory fee of **\$930.00** for a three-month extension of time.

Remarks

With respect to the Examiner's comment that the addressee, currently listed as "Incyte Pharmaceuticals," should instead read "Incyte Genomics," Applicants respectfully point out that addressee is now known as "Incyte Corporation," and that both the CRF and paper copies of the Substitute Sequence Listing reflects that fact.

If the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. **09-0108**.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

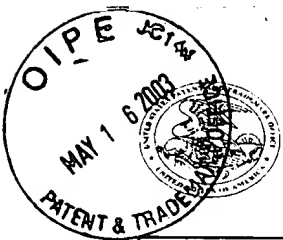
Respectfully submitted,

INCYTE CORPORATION

Date: 12 May 2003

Cathleen M. Rocco
Cathleen M. Rocco
Reg. No. 46,172
Direct Dial Telephone: (650) 845-4587

Customer No.: 27904
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886



COPY

Incyte Genomics, Inc.
Legal Department
Received

JAA

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

SEP 17 2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,498	01/10/2001	Preeti Lal	PF-0385-1 DIV	1324

27904 7590 01/13/2003

INCYTE GENOMICS, INC.
3160 PORTER DRIVE
PALO ALTO, CA 94304

EXAMINER

SCHWADRON, RONALD B

ART UNIT PAPER NUMBER

1644

DATE MAILED: 01/13/2003

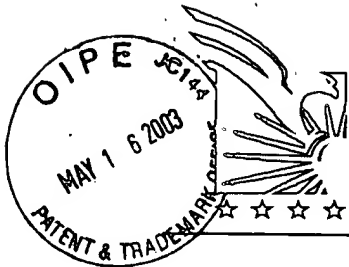
7

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED

MAY 20 2003

TECH CENTER 1600/2900



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

DEA/FCE-1994

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
MAY 20 2003	
ART UNIT	PAPER NUMBER

DATE MAILED:

RECEIVED
TECH CENTER 1600/2900

Please find below a communication from the **EXAMINER** in charge of this application
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

The paper copy of the SEQ. listing filed in the instant application is defective because it does not list the "prior application data" (eg. parent application 08/928442) in mandatory section (1), part (vii) as per 37 CFR 1.823 (from the preJuly 1998 sequence rules, because the instant listing is in the format of the preJuly 1998 sequence format).

The paper copy of the SEQ. listing and CRF both incorrectly list the addressee as Incyte Pharmaceuticals wherein it should read Incyte Genomics.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may

an applicant extend the period for reply beyond the SIX MONTH statutory period.
Direct the reply to the undersigned. Applicant is requested to return a copy of the
attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron
Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any
inquiry of a general nature or relating to the status of this application should be directed
to the Technology Center receptionist whose telephone number is (703) 308-0196.



RON SCHWADRON
PRINCIPAL EXAMINER
GROUP 1600-1600

Ron Schwadron, Ph.D.
Art unit 1644



Application No.: 09758498

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: see enclosed communication

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

RECEIVED

MAY 20 2003

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE TO TECH CENTER 1600/2900